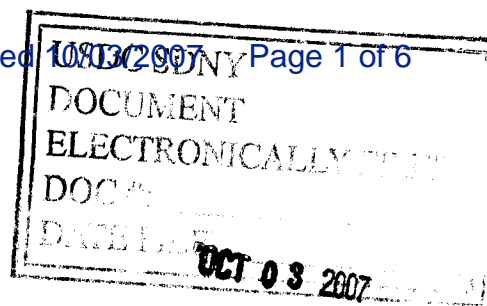


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA, :

- v. - :

INDICTMENT

SHAHZAD VIRK,  
a/k/a "Naql Ozia,"

07 CRIM 934

Defendant.

-----X

COUNT ONE

The Grand Jury charges:

1. From in or about 2003, up to and including November 2006, in the Southern District of New York and elsewhere, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, unlawfully, willfully, knowingly and with intent to defraud, in an offense affecting interstate commerce, did traffic in and use one and more unauthorized access devices during a one-year period, and by such conduct did obtain a thing of value aggregating \$1000 and more during that period, to wit, VIRK opened fraudulent credit card accounts and used them to obtain money for the benefit of himself and others.

(Title 18, United States Code, Sections 1029(a)(2) and 2.)

COUNT TWO

The Grand Jury further charges:

2. From in or about 2003, up to and including in or about November 2006, in the Southern District of New York and

elsewhere, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to violate Title 18, United States Code, Sections 1029(a)(2) and 1029(a)(5).

3. It was a part and an object of the conspiracy that SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, and others known and unknown, unlawfully, willfully and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did traffic in and use one and more unauthorized access devices during a one-year period, and by such conduct obtained things of value aggregating \$1,000 and more during that period, in violation of Title 18, United States Code, Section 1029(a)(2).

4. It was a further part and an object of the conspiracy that SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did effect transactions with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period, the aggregate value of which is equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

Overt Acts

5. In furtherance of the conspiracy and to effect the

illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

(a) In or about November 2005, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, rented Apartment GA at 1991 Sedgwick Avenue, Bronx, New York.

(b) In or about February 2006, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, opened a Bank of America credit card account using another individual's name and social security number.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT THREE

The Grand Jury further charges:

6. From in or about 2003, up to and including in or about November 2006, in the Southern District of New York and elsewhere, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, unlawfully, willfully, and knowingly, during and in relation to the felony violation charged in Count One of this Indictment, did transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, VIRK used the name and social security number of another individual to open fraudulent credit card accounts that he used to obtain money to which he was not entitled.

(Title 18, United States Code, Section 1028A(a)(1).)

FORFEITURE ALLEGATION

AS TO COUNTS ONE THROUGH THREE

7. As a result of committing the offenses alleged in Counts One through Three of this Indictment, SHAHZAD VIRK, a/k/a "Naql Ozia," the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud, credit card fraud conspiracy, and aggravated identity theft offenses.

Substitute Asset Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

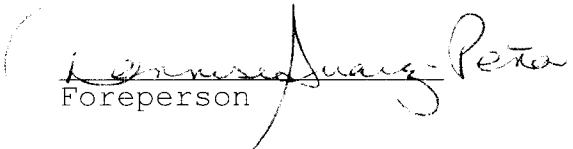
(4) has been substantially diminished in value; or

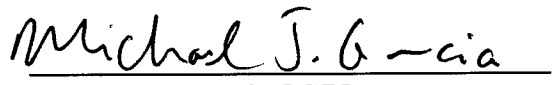
(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

§ 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982.)

  
Foreperson

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

07 Cr.

(18 U.S.C. §§ 1028A, 1029(a)(2), 1029(b)(2))

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

Dennise Suarez-Pena  
Foreperson.

Dennise Suarez-Pena

Re: [unclear]  
10/03/07  
Filed Ind.  
Ellis, J.